



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

30 APR 2007

STEVENS DAVIS MILLER & MOSHER, LLP
1615 L STREET, NW
SUITE 850
WASHINGTON, DC 20036

In re Application of VAN DER PLAS et al :
U.S. Application No.: 10/550,678 :
PCT Application No.: PCT/EP2004/003625 :
Int. Filing Date: 31 March 2004 : COMMUNICATION
Priority Date Claimed: 31 March 2003 :
Attorney Docket No.: APV31897 :
For: PROCESS FOR THE ELECTROLYSIS OF :
ALUMINIUMSULFIDE :

This is in response to applicant's "Response to Notification of Defective Response" filed 12 April 2007.

BACKGROUND

On 31 March 2004, applicant filed international application PCT/EP2004/003625, which claimed priority of an earlier European Patent Office application filed 31 March 2003. A copy of the international application was communicated to the USPTO from the International Bureau on 14 October 2004. The thirty-month period for paying the basic national fee in the United States expired on 30 September 2005.

On 26 September 2005, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1).

On 25 September 2006, the DO/EO/US mailed a Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905), which indicated that an oath or declaration in compliance with 37 CFR 1.497 must be filed.

On 24 November 2006, applicant filed an executed declaration.

On 02 April 2007, the DO/EO/US mailed a Notification of Defective Response (Form PCT/DO/EO/916), which stated that the declaration filed 24 November 2006 lists inventors not listed in the published international application.

On 12 April 2007, applicant filed the present response.

DISCUSSION

Inventors Steven Lans, Markus Reuter, Mpia Mambote, Anthonie Van Sandwijk, and Yanping Xiao were added as inventors in the international stage of application PCT/EP2004/003625 as evidenced by Form PCT/IB/306. Thus, the inventors are properly listed in the declaration filed 24 November 2006.

CONCLUSION

For the reasons above, the Notification of Defective Response (Form PCT/DO/EO/916) mailed 02 April 2007 is hereby VACATED.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision, including preparation and mailing of a new Notification of Defective Response (Form PCT/DO/EO/916) which should indicate that a declaration executed by the third listed inventor Markus Reuter must be submitted.



Bryan Lin
PCT Legal Examiner
PCT Legal Office

Telephone: 571-272-3303
Facsimile: 571-273-0459